IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.79336-M of 2006
Date of Decision:- 18.1.2007

Bagu Ram ....Petitioner(s)

through
Mr.Krishan Singh, Advocate

vs.

The State of Haryana & ors. ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner, who is undergoing sentence under the N.D.P.S.Act, 1985 is aggrieved at the order dated 20.11.2006 (Annexure P-2) whereby the Director General of Prisons, Haryana has declined his request for parole for agricultural purposes on the ground that there is no agricultural land owned or possessed by the petitioner.

The petitioner is stated to be permanent resident of village Ratanpur, Tehsil Nohar, District Hanumangarh (Rajasthan). It is averred that his father owns agricultural land which is undivided and which was being cultivated by him before his conviction and sentence.

If the above-stated plea taken by the petitioner is factually correct, it may require reconsideration of his case in the light of Section 3 (1) (c) of Haryana Good Conduct Prisoners (Temporary Release) Act, 1988.

Consequently and for the reasons above-stated, this petition is allowed to the extent that the impugned order dated 20.11.2006 (Annexure P-2) is quashed and the Director General of Prisons, Haryana is

directed to get the above-noticed plea of the petitioner reverified from the District Magistrate, Hanumangarh and thereafter to take an appropriate decision in accordance with law within a period of two months from the date of receipt of certified copy of this order.

January 18, 2007 **(SURYA KANT)**
poonam **JUDGE**